

MINUTES

**MONTANA SENATE
59th LEGISLATURE - REGULAR SESSION**

CONFERENCE COMMITTEE ON HOUSE AMENDMENTS TO SENATE BILL 443

Call to Order: By **CHAIRMAN GLENN ROUSH**, on April 13, 2005 at
10:30 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Glenn Roush, Chairman (D)
Rep. Elsie Arntzen (R)
Sen. Vicki Cocchiarella (D)
Rep. Harry Klock (R)
Sen. Donald J. Steinbeisser (R)
Rep. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: Rep. Kevin T. Furey (D)

Staff Present: Annie Glover, Committee Secretary
Pat Murdo, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion
are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: SB 443

CHAIRMAN ROUSH indicated that they would open the hearing and discuss the amendments even though there was not a quorum from the House. He informed the Committee that SB 443's amendment was from the House on Line 5. He explained that it had to do with the Montana National Guard defensive driving training course. He indicated that the Guard was trying to complete the program by using the bill. He informed the Committee that all the members of the National Guard would take the course on-line and then, upon completion, be available for private insurance through the bill. They would be eligible for a deduction on their premium.

REP. WINDY BOY entered the hearing at this time, providing a quorum for the House.

CHAIRMAN ROUSH noted that the amendment put on the title was placed there by **REP. FUREY**. He asserted that **REP. FUREY** had wanted to place the amendment on the bill after having heard it in Committee.

CHAIRMAN ROUSH asserted that he had asked **REP. FUREY** not to put the amendment on because they did not know that it was for a military reserve defensive driving training program similar to the National Guard program. It was his understanding that there was not a program. He knew that it was of concern with the insurance industry because of the use of the word reserve.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 4.8}

Greg Van Horssen, Representing State Farm Insurance Company, spoke for his colleagues in the property and casualty business. He indicated that generally speaking, State Farm would not support special rates or discounts for a particular group of people. However, they did not oppose the bill this session based on the times and the good intent of the bill. As he understood it, the National Guard did have a program in place for educating their members with regard to defensive driving. He noted that they were willing to accommodate the sponsor of the bill and the members of the National Guard because it was for a finite number of Montanan citizens. He remarked that it was a program they could understand and they felt they could live with the requirements of the bill. However, he remarked that with the amendment from the House and the addition of the reserve language they can no longer support the bill. He suggested that if it is the desire to include reservists in this type of bill, they should identify necessary programs and discuss them in the interim.

{Tape: 1; Side: A; Approx. Time Counter: 4.8 - 7.5}

SEN. COCCHIARELLA clarified that Mr. Van Horssen was aware of the defensive driving education that the National Guardsmen have to go through.

Mr. Van Horssen agreed that he was.

SEN. COCCHIARELLA followed up by asking if the program would meet some kind of standard that insurers would accept as a provision for a discount.

Mr. Van Horssen believed that, based on the standards of the course, they would be able to accommodate the needs of the bill.

SEN. COCCHIARELLA asked if the application of the discount was similar to the senior discount, where they could choose not to give the discount.

Mr. Van Horssen thought that the bill would require the insurance companies to rate accordingly, so it would be treated the same way.

{Tape: 1; Side: A; Approx. Time Counter: 7.5 - 8.9}

REP. ARNTZEN mentioned that Mr. Van Horssen had talked about a finite number. She asked for a ballpark figure for the military reserves he thought they might be asked to cover if the amendments went through.

Mr. Van Horssen could not give a figure, which he claimed was part of the problem.

CHAIRMAN ROUSH requested that Mr. Hagan, a lobbyist for the National Guard, explain the internet program to the Committee and inform them if the military reserves had any programs.

Roger Hagan, Representing the Officer and Enlisted Associations of the National Guard of Montana, answered that he had been unable to determine, in working with the Army Reserve group, if there was a Department of Defense-driven, reserve-wide program for a defensive driving course. He indicated that this was the crux of the insurance companies' issue. He noted that it would be hard to identify what program it is and who has it. He informed the Committee that the National Guard, nationwide, contracted with a corporation that was certified by the National Safety Council for an online defensive driving course. He asserted that after completion of the course an individual would receive a Department of Defense certificate and a National Safety Council certificate. He informed the Committee that they had patterned the bill after the Mature Defensive Driving Act.

{Tape: 1; Side: A; Approx. Time Counter: 8.9 - 12.3}

SEN. COCCHIARELLA wondered how many National Guard members would qualify under the bill.

Mr. Hagan replied that the National Guard had around 3,400 to 3,500 Montana National Guardsmen. He was not sure how many would be covered under the amendment with the addition of the military reservists. He was not sure how to define the military reserves of the United States.

REP. KLOCK asked if all National Guard members took the online course.

Mr. Hagan explained that the Army National Guard was the only one who has contracted nationwide for the course. Therefore, he indicated that only the Army National Guard and those who are in the Air Guard and work in joint force headquarters are authorized to take the course. He mentioned that the Air Guard is in the process of contracting with the same company and requiring the course for all of the Air National Guard. He indicated that currently there would be about 2,500 who have been in the course. The 3,500 he had mentioned earlier were in anticipation of the Air National Guard's contract.

{Tape: 1; Side: A; Approx. Time Counter: 12.3 - 15.2}

Motion: **SEN. COCCHIARELLA** moved that **THE HOUSE AMENDMENTS ON SB 443, AMENDMENT # 671115SCHKH BE REMOVED FROM THE BILL.**

Discussion: **SEN. COCCHIARELLA** spoke to the motion. She thought that it might be a good idea but that there needed to be more work done to find out exact numbers. She expressed that it would be a good idea for next session. She did not want to leave the amendments on because it would kill the bill.

REP. ARNTZEN agreed with **SEN. COCCHIARELLA**. She felt that in the future **REP. FUREY'S** idea would be acceptable.

SEN. STEINBEISSER commented that he was a former Army Reserve member but agreed with the motion.

{Tape: 1; Side: A; Approx. Time Counter: 15.2 - 17.5}

Vote: Motion carried unanimously.

{Tape: 1; Side: A; Approx. Time Counter: 17.5 - 18.3}

ADJOURNMENT

Adjournment: 11:30 A.M.

SEN. GLENN ROUSH, Chairman

ANNIE GLOVER, Secretary

BRITT NELSON, Transcriber

GR/ag/bn

Additional Exhibits:

EXHIBIT ([ccs79sb0443aad0.PDF](#))